

**IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

IN RE:	§	
<b>DACUS RESOURCES, INC.</b>	§	
xx-xxx5894	§	CASE NO. 17-60381
4048 N Jackson St, Jacksonville, TX 75766	§	
Debtor	§	CHAPTER 7

**MOTION FOR AUTHORITY TO SELL PROPERTY  
OF THE BANKRUPTCY ESTATE AND NOTICE TO CREDITORS  
(OIL PRODUCTION EQUIPMENT)**

**NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN TWENTY-ONE (21) DAYS FROM DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Michael J. McNally, Chapter 7 Trustee (“Trustee”), files this Motion for Authority to Sell Property Of The Bankruptcy Estate And Notice To Creditors (Oil Production Equipment) pursuant to 11 U.S.C. § 363(b), Fed. R. Bankr. P. 6004 and LBR 6004, and in support would show the Court as follows:

1. This proceeding was commenced by the filing of a Chapter 7 on May 22, 2017, and thereafter the undersigned was appointed trustee.
2. Trustee is the duly appointed and acting Chapter 7 Trustee of the Debtor’s bankruptcy estate.
3. The non-exempt assets of the Debtor’s estate which Trustee proposes to sell are

Debtor's interest in various oil production equipment, machinery and tanks more particularly described in Debtor's Schedules as:

National TA3-72 Triplex Pump, North American Electric Motor Serial No NA3642-40-6, Gould Pump Model 3656, Electric Pump, Water Storage Tanks (4) 12'x20' Serial Numbers 6290, 6341, 6280, 6342 Alexander Tank Co, Water Storage Tanks (4)- 12'x20' Serial Numbers 14889, 14901, 14673, 14888 Ultrafab, LFM Gun Barrel, LFM Storage Tank, Oil Storage Tanks (2) 2220, 2790, Mud Pit (junk), Triplex Pump (frame), Baldor Electric Motor, General Electric Motor Serial A 082050 Model 5KY445AK321V, Sivals Inc. Gun Barrel- 14'x16' Serial No 35702, Alexander Tank Co. Oil Storage Tanks (2)- 10'x15' Serial Numbers 2830, 2831, Water Tank, Separator, Separator, and Pump Jack Serial No. 1192298N 447127 Model C-640D 256-144, together with associated items (the "Property").

4. Trustee is aware of no lien claims against the Property.
5. By order entered October 12, 2017, auctioneer Rosen Systems has been employed to sell the Property at public internet auction. The proposed compensation for the Auctioneer for items sold by Auctioneer will be actual expenses plus a 10% buyer's premium subject to further Court approval.
6. The terms of the proposed sale are as follows:
  - a. Cash.
  - b. "As is, where is".
  - c. Trustee makes no warranties of any kind.
  - d. Trustee is not aware of any liens.
  - e. Assignment will convey all right, title and interest of the Trustee herein, free and clear of all liens, claims and encumbrances without warranty. Any valid lien claims shall follow the net proceeds of sale.

WHEREFORE, premises considered, Trustee respectfully requests this Court approve the sale of the Property as set forth above and that Trustee be granted such other and further relief to which he may be justly entitled.

Respectfully submitted,

McNALLY & PATRICK L.L.P.

By: /s/ Michael J. McNally  
SBN 13815700

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Attorneys for Chapter 7 Trustee

**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing were served by either electronic means or first class mail, postage prepaid on the Debtor, Dacus Resources, Inc., 4048 N Jackson St, Jacksonville, TX 75766, Debtor's attorney, William H. Lively, Jr., 532 S Bonner Ave, Tyler, TX 75702, the U. S. Trustee, 110 N. College, Suite 300, Tyler, TX 75702, and the attached mailing matrix on October 20, 2017.

/s/ Michael J. McNally